

## Health conditions and disabilities hub

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### Health conditions and disabilities hub - at a glance

Universal Credit supports people with health conditions and disabilities by helping them into work that they can do. This involves keeping in touch with the claimant and preparing claimants to take up work when they are able to do so.

Once claimants report a health condition or disability, the work related requirements they can be asked to agree and the amount of Universal Credit they are paid depend on their capability to work. There are different provisions relating to:

- [the first 14 days of a health condition](#)
- [the period from day 15 onwards](#)
- [the period from the 29th day](#)
- the period following the determination based on the outcome of a Work Capability Assessment

Claimants must produce a Statement of Fitness for Work (SoFFW) from day 8 of their reported health condition. Employed claimants can produce a Return to Work Plan instead of a SoFFW.

In most cases, a claimant must be referred for a [Work Capability Assessment \(WCA\)](#) at the 29<sup>th</sup> day. The WCA provides an assessment of what a claimant can do as well as what he or she can't do.

The outcome of the WCA is used to determine if the claimant:

- has [limited capability for work \(LCW\)](#)
- has [limited capability for work and work related activity \(LCWRA\)](#)
- [does not have limited capability for work](#)

In some circumstances, a claimant can be [referred for a WCA immediately](#) when the health condition or disability is reported.

Claimants awaiting a WCA are usually allocated to the Intensive Work Search Labour Market regime but can be allocated to an alternative regime depending on individual circumstances.

Once a claimant produces a SoFFW or RtWP the work related requirements they can be asked to accept and the frequency and channel of intervention will be tailored according to individual need. This applies until a determination is made following the outcome of a WCA.

The determination following the outcome of a claimant's WCA is used to:

- award, where the claimant has LCW or LCWRA, the LCW or LCWRA calculation
- allocate the claimant to the appropriate Labour Market regime
- allocate the claimant with the relevant work allowance

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## **Health conditions and disabilities – day 1 to day 29**

### **First 14 days**

Claimants can self-certify for the first 7 days after they report being unfit for work due to a health condition or disability.

From day 8 a Statement of Fitness for Work (SoFFW) is required from the claimant's GP or other healthcare professional.

When a claimant reports that they have a health condition or disability, they do not have to look for work or be available for work for the duration of their medical evidence for up to the first 14 days after it is reported.

This is the case for the first 2 periods of a reported health condition in a rolling 12-month period in receipt of Universal Credit.

If a claimant has more than 2 periods of sickness in a rolling 12 month period they can be asked to undertake work search activities or be available for work from Day 1, subject to their individual circumstances and what may be reasonable based on their health condition.

During this 14 day period the claimant may be set WFI requirements and tailored work preparation activities.

More detailed guidance on switching off work related requirements can be found in the [Claimant's Commitment Hub](#).

### **Day 15 onwards**

From day 15, any work-related activities can be agreed in a claimant's commitment.

Work-related activities must be reasonable based on the claimant's circumstances, taking account of the impact of their health and their ability to find and take up work.

For work search/availability requirements to be switched off, the period of sickness must be supported by a Fit Note.

The impact of the claimant's current health condition must be considered in relation to the number of hours they are expected to search for work and the hours, type and location of work they are expected to search for.

More detailed guidance can be found in the [Claimant's Commitment Hub](#).

### **Day 29**

At day 29 providing the claimant has a current Fit Note, he or she must be referred for a [Work Capability Assessment \(WCA\)](#).

### **Work related requirements and ongoing contact**

The work related requirements a claimant is asked to undertake once a health condition is reported and the frequency and means of ongoing contact must be reasonable in light of the claimant's health condition and other circumstances.

## **Work related requirements and health conditions**

The following are key factors to be taken into account when agreeing work related requirements for a claimant with a health condition:

- the number of hours work search, the type and location of work must be considered in the light of the claimant's health condition. Where appropriate the claimant's 'expected hours' should be adjusted.
- work preparation requirements should be suitable for the nature of their health condition

## **Ongoing contact**

Once a claimant reports a health condition, the frequency and means of contact can be adjusted taking into account the nature of that condition. The claimant may not be required to attend a fortnightly face to face interview if work search/availability requirements have been switched off.

The channel of contact or meeting must be the most appropriate, in order to support the claimant when needed or to check progress on activities. It can be Face to Face, via the claimant's online account or by telephone.

## **Examples**

A claimant with a mental health condition such as mild/moderate depression/anxiety may benefit from regular face to face interventions to build their confidence. There may also be occasions when they cannot attend and would benefit instead from a telephone or online contact or from re-arranging the appointment.

A commitments meeting may be all they can be expected to do initially and it may be appropriate to set voluntary activities then build these over time to include mandatory work related requirements.

A claimant who has a long term condition may need support to build motivation and confidence to consider an alternative career path. Searching for work and looking at job specifications may be helpful in identifying a claimant's skills and experience which they can match to a job.

The condition may mean that the types of jobs which are suitable and the distance they can travel to a job are reduced. In addition, their hours of work search and any other actions must be appropriate and fit with medical appointments.

Additionally, trying out work experience and volunteering may build the claimant's CV and confidence and help them to identify and enhance existing skills.

### **Employed claimants - fit for work support**

Claimants in employment who are off work sick for more than 4 weeks will usually be referred by their employer or health care professional to occupational health professionals for health and work advice and a fitness for work assessment.

Claimants in the Intensive Work Search Regime should be encouraged to maintain active contact with their employer or health care professional at this time.

Employees can agree to a Return to Work Plan. This may include a timetable for returning to work, if appropriate.

Claimants with a Return to Work Plan (RtWP) may choose to share its content in agreeing their commitments. The RtWP has the same status as a SoFFW.

The RtWP can be used as medical evidence in place of a SoFFW. If it is being used for that purpose the claimant would need to share it at the point that evidence is required.

### **Statutory Sickness Payment (SSP)**

Claimants are not required to agree any work related requirements or be available for work if the level of Statutory Sick Pay (SSP) means they exceed the [Conditionality Earnings Threshold](#).

### **Work capability assessments**

Work capability assessments (WCA) are carried out by external providers as part of the Health Assessment Advisory Service.

The WCA is a functional assessment which assesses what a claimant can do, as well as what they can't do.

### **WCA for claimants in employment**

Claimants in employment may claim Universal Credit on the grounds of having a health condition or disability. A WCA referral can only be made if specific circumstances apply.

If the claimant has weekly earnings equal to or exceeding the weekly earnings threshold of 16 hours at National Minimum or Living Wage a referral for a WCA can only be made if he or she is entitled to any of the following:

- Disability Living Allowance
- Personal Independence Payment
- Armed Forces Independence Payment
- Attendance Allowance

Claimants with weekly earnings that are equal to or exceed that earnings threshold and who are not entitled to one of those benefits cannot be referred for a WCA.

Claimants with weekly earnings below the threshold can be referred for WCA.

### **Immediate WCA referrals**

A WCA referral must be made immediately if a claimant reports:

- circumstances that mean they can be treated as having LCW
- circumstances that mean they can be treated as having LCWRA – including terminal illness

Claimants can be treated as having LCW if evidence is provided which shows they:

- are receiving or recovering from treatment for:
  - haemodialysis for chronic renal failure
  - plasmapheresis
  - total parenteral nutrition for gross impairment of enteric function
- are undergoing or recovering from medical or other treatment as a patient in a hospital or similar institution (for 24 hours or more), including residential programmes of rehabilitation for the treatment of drug or alcohol dependency
- are prevented from working by law due to actual or suspected infection or contamination
- have reached the qualifying age for State Pension Credit and are entitled to disability living allowance or personal independence payment

Claimants treated as having LCW remain in the Intensive Work Search regime, until the outcome of their WCA. Claimants can be set WFI and work preparation requirements, tailored to their individual needs.

Claimants can be treated as having LCWRA if they:

- are terminally ill

- are pregnant and there is a serious risk of damage to her health or to the health of her unborn child if she does not refrain from work and work-related activity
- are receiving or recovering from treatment for cancer by way of chemotherapy or radiotherapy
- are likely to receive cancer treatment within 6 months of the date of the determination of capability for work and work-related activity
- have reached the qualifying age for State Pension Credit and are entitled to AA, the Care Component of DLA at the highest rate or the Daily Living Component of the Personal Independence Payment (PIP) at the enhanced rate

Claimants treated as having LCWRA remain in the Intensive Work Search regime, until the outcome of their WCA. All work-related requirements for these claimants must be switched-off.

More detailed guidance on switching off work related requirements can be found in the [Claimant's Commitment Hub](#).

## **WCA outcomes**

Following the WCA, a decision maker makes one of three possible determinations that the claimant:

- has LCW
- has LCWRA
- does not have LCW (is fit for work)

## **Limited capability for work**

If a claimant is determined to have LCW it means their ability to work is limited by their physical or mental condition. Although they are not required to search for, be available for and start work, the claimant is required to accept work preparation requirements within their commitment and attend WFIs.

A claimant determined to have LCW will be allocated to the Work Preparation regime.

## **Limited capability for work and work related activity**

A claimant found to have LCWRA is allocated to the No Work Related Requirements regime. They are not required to fulfil any work related requirements but the claimant may wish to volunteer to do so if they wish.

## **No LCW**

Claimants found not to have LCW or LCWRA remain in the Intensive Work Search regime unless other circumstances mean the claimant is already allocated to a less intensive regime.

The claimant's work related requirements or availability for work must be considered, taking into account their health condition or disability. More detailed guidance can be found in the [Claimant's Commitment Hub](#).

## **Universal Credit award**

Additional amounts of Universal Credit may be awarded when claimants are found to have LCW or LCWRA. More guidance can be found in [Rates for Universal Credit](#).

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